

PARRICIDE: CHILDREN WHO KILL THEIR PARENTS

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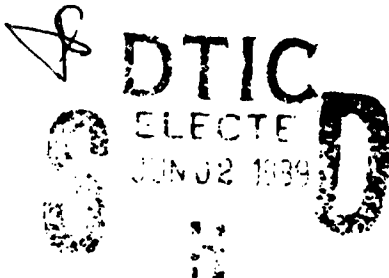
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PARRICIDE: CHILDREN WHO KILL THEIR PARENTS

A Thesis

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Abstract
of
PARRICIDE: CHILDREN WHO KILL THEIR PARENTS
by

Ruth Ann Strong

Statement of Problem

➤ This thesis is a scholarly investigation of adolescents who kill their parents. The research centers on who is the offender, why he or she has used parricide as a solution to an unresolvable problem, and how the criminal is treated by the justice system. Following a review of the available literature, both the issues and controversies surrounding the disposition of these juveniles are examined in detail.

Sources of Data

The data utilized in this study were obtained through a literature review in which numerous sources were considered to determine the nature of the problems associated with the criminal justice response to the issue of parricide.

Conclusions Reached

➤ Based on the results of the literature review three conclusions were reached. First, adolescents who commit parricide have been victims of severely abusive home situations. The murder event is the attempt by the parricide to save himself or herself from further victimization at the hands of their abuser. Secondly, the treatment of these adolescents by the criminal justice system varies greatly depending on the willingness of the court to accept the violent family situation of the parricide as a mitigating circumstance. Thirdly, there is a visible absence of research conducted by criminal justice scholars in the area of parricide. This violent crime is a by-product of the escalating phenomenon

of family violence. Without the availability of adequate research, decision makers are unable to formulate policies which offer preventive measures which can assist juveniles at risk as well as those who have committed parricide as a solution to a life made unbearable by the subculture of violence. - 100 (520)

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CHAPTER 1

Introduction

Frequent newspaper accounts of children who have killed their parents appear in the media. This may appear to be an indicator of increasing juvenile delinquency and violent crime. This assumption is incorrect. In actuality, in most cases of parricide, there is no history of earlier delinquent behavior.¹ When such cases are studied, it is revealed that most of the children who kill their parents have been victims of child abuse for most of their lives. Many cases show that the child kills the parent as a final act of protection for himself, herself, or other family members fearing further abuse.

The frequency of parricide is between 254² and 400³ cases each year. These figures are low when compared to other crimes, but when considering that this comes to one child killing at least one parent each day of the year, the number of incidents is disturbing. The study of family violence requires that the area of parricide be clarified as an emerging problem.

When parricide occurs, these children who have been victims are frequently further victimized by our

criminal justice system. Many are tried in adult court rather than juvenile court, found guilty, and sentenced to an adult correctional facility. This is how we have decided to treat these children. We lock them up so they will not kill again. But it has been shown that these children are not normally violent children. In an article by Vicki Agee, the term "overcontrolled aggressives" is used to describe a typical parricide. Agee has determined that "these youths commit crimes of passion, generally on family members. They usually have a long history of being overly compliant and have experienced a great deal of rejection. When these youths finally explode, they become extremely violent and then immediately revert to their previously passive state."⁴

Studies have shown that these children can be treated effectively without serving long prison terms. With proper treatment these children can grow to become law abiding citizens without becoming victims of our correctional system. In one case, the parricide went on to get a PhD and is currently teaching at his former college.⁵

Statement of the Problem

The term parricide is frequently used to mean the act committed by one who murders their mother, father, or near relative. The term is also used when referring

to the person who committed the act.⁶ This research will focus on children who kill their parents or step-parents. The parricides studied are of an age where they would normally be processed through the juvenile justice system. Parricide is a criminal justice issue that is linked to violent juvenile behavior within a family violence framework.

As mentioned earlier, parricides seldom have a history of delinquency or criminal violence. They have been victims of violence within their homes and finally kill out of self defense. Although no case is typical, through the compilation of the cases a profile can be formulated. Most parricides come from an intact two parent family. The parricides are just as likely to be male as female. They have been abused both physically and emotionally. If the parricide is a daughter she has probably been sexually abused as well. If the victim of the killing is a father, the mother is probably a victim of abuse. The victim is usually killed with a gun. The child usually calls the police to report the killing and will admit to the crime. The youth appears before adult court where he or she has likely plea bargained to a second degree murder charge. When found guilty they are sent to an adult correctional facility. Most of these children are considered to be functioning adequately by friends

and neighbors prior to the offense. In studies of family violence, only about 10 percent of these cases involve mental illness.⁷

Although mental illness is not a factor in most cases, much of the research in the area of parricide has come from the clinical sciences. The research conducted by social scientists in this area has been limited. Many of these studies are concerned with the overall problem of domestic violence. In the studies of family violence, abuse appears to be cyclical in nature. If not treated, the abused child is likely to become an abusive parent and the problem continues to escalate.⁸ Many studies have shown that treatment is effective in controlling abusive behavior. Although incarceration serves as punishment it does not correct the real problem. Incarceration is used because the legal community is not educated in the area of family violence and it is the easiest solution.

Methodology

The information for this study was obtained from books, journals, newspaper articles, popular periodicals, and media productions focusing on the research topic. Attempts to find previously unavailable information through the National Criminal Justice Reference Service revealed only three sources which were already identified in an earlier campus library search for resources. Most

of the material was discovered by using the citations found in current writings. The most current material was located through the use of the periodical index section on the fourth floor of the C.S.U.S. library.

Limitations of the Study

Parricide has not been a widely researched topic. Many of the authors have pointed this out and some make a plea for more detailed investigations. Agee points out that study is hampered by the nature of the topic and the small target group population.⁹ Morris, in the conclusion to his research, states that "parricide has only recently begun to receive attention. . . ." He anticipates that his book will help to create an interest for more scientific research.¹⁰ Corder, in his 1976 study, claims to be the first one to conduct a study of parricides using control groups. He further relates that "follow-up of parricidal adolescents has also been rare."¹¹ No other studies using control groups have been discovered in reviewing the literature. Lawrence Meyer writes that "studies of only a few dozen parricides have been reported. . . ."¹²

A majority of existing studies are limited in scope to only one or two cases of parricide. It is difficult to make conclusions or recommendations on such a limited sample. Even in Corder's study, the parricides as well as the control groups were limited

to ten cases.¹³ Many of the existing studies have used the same cases for analysis. Most of these studies are psychiatrically-oriented and the subjects are frequently confined in mental institutions. The study of parricides sentenced to prisons has been limited to the work of journalists and lawyers. Research focusing on the response of the criminal justice system to parricide cases is limited.

Importance of the Problem

The topic of parricide is a criminal justice concern. Parricide, along with the entire area of domestic violence, involves the destruction of an important institution in our society, the family. Without preventive measures or proper treatment the problem continues to grow. Each citizen is involved indirectly with the current methods used to treat parricides. Research shows that tax dollars spent on trials and incarceration could perhaps be more effectively used to provide treatment that would solve the problem within the framework of the juvenile justice system. Money spent on prevention could negate the need for later incarceration. Incarcerating the youths serves as punishment, but without therapy they do not learn how to deal with the emotional problems caused by the abuse. Treatment programs have shown to be effective in putting a stop to the cycle

of family violence.

This paper is a descriptive study of two issues: (a) who is the parricide youthful offender; and, (b) how these children are treated by the criminal justice system. Chapter 2, through a literature review, will reveal parricide case studies and methods that our criminal justice system uses to treat/punish the children. In Chapter 3 the author will make recommendations concerning the treatment of parricides as well as suggestions for prevention.

Notes

- ¹ Paul Mones, "The Relationship Between Child Abuse and Parricide: An Overview," Unhappy Families, eds. Eli Newberger and Richard Bourne (Littleton: PSG Publishing Co., Inc., 1985), 36.
- ² Mones, 32.
- ³ Gregory W. Morris, The Kids Next Door: Sons and Daughters Who Kill Their Parents (New York: William Morrow and Company, Inc., 1985), Jacket Cover.
- ⁴ Vicki L. Agee, Treatment of the Violent Incurable Adolescent (Lexington: D.C. Heath and Company, 1979), 90.
- ⁵ Donald H. Russell, "A Study of Juvenile Murderers of Family Members," International Journal of Offender Therapy and Comparative Criminology 28, no. 3 (1984): 183.
- ⁶ "Parricide," The American Heritage Dictionary, 2nd college ed.
- ⁷ Murray A. Straus, Richard J. Gelles, and Suzanne K. Steinmetz, Behind Closed Doors: Violence in the American Family (New York: Anchor Press, 1980), 222.
- ⁸ Larry B. Silver, Christina C. Dublin, and Reginald S. Lourie, "Does Violence Breed Violence? Contributions of the Study of Child Abuse Syndrome," American Journal of Psychiatry 126, no. 3 (1969): 407.
- ⁹ Agee, 89.
- ¹⁰ Morris, 294.
- ¹¹ Billie F. Corder et al., "Adolescent Parricide: A Comparison with Other Adolescent Murder," American Journal of Psychiatry 113 (Aug 1976): 957.
- ¹² Lawrence Meyer, "Kids Who Kill Parents," Washington Post, 13 May 1984: magazine section: 14.
- ¹³ Corder, 958.

CHAPTER 2

Review of the Literature: Issues Concerning Parricide and Treatment by the Criminal Justice System

This chapter will examine the current literature on the subject of parricide, and explore issues that are related to the concept. The key issues examined will be: (a) why is parricide committed; and, (b) how does the criminal justice system respond to these youth in the areas of control and prevention.

The act of parricide is an issue that has been with us through the ages; however, the term parricide did not appear in the literature until Freud introduced it in his paper "Dostoevsky and Parricide".¹ In this research, parricide refers to the homicide of a parent committed by the adolescent son or daughter. Even today, the designation parricide is not well known. The literature routinely uses the terms patricide (those who murder their fathers), matricide (those who murder their mothers), and homicide. The term parricide is reintroduced in the work of Sadoff in 1971. He states, in his study, that "Freud presented the original psychodynamic considerations on parricide."² Much of the contemporary work focusing

on parricide will be found in journalist accounts as opposed to clinical studies.

The major issues, research, and proposed solutions will be critically examined in this chapter. A limitation of this research continues to be the small number of parricide cases that have actually been analyzed by specialists and observers in this field. No more than sixty cases appear in the literature. Some of these cases may be duplicates because names are not used in most of the studies; however, a number of the details remain similar. In addition, some of the case materials are limited in their discussion of etiology and final court dispositions. This is especially characteristic of media accounts which limit information to the usual who, what, when, and where while omitting crucial causation factors.

Parricide: Viewpoints from Clinicians

As mentioned earlier, Sigmund Freud's writings introduced the term parricide to the scholarly literature. Freud made a study of Feodor Dostoevsky, the famous Russian author. Freud's psychoanalysis of Dostoevsky was based on his analysis of Dostoevsky's novels and personal notes and papers as well as accounts of his life written by Dostoevsky's daughter. Freud labeled Dostoevsky as neurotic. As a child, Dostoevsky feared and hated his violent father and

often wished him dead. When Dostoevsky was eighteen, his father was murdered, but not by Dostoevsky. Dostoevsky felt guilty for the death of his father because of childhood wishes that he would die. Based on the content of Dostoevsky's novels, Freud felt that this guilt consumed Dostoevsky's life. According to Freud, Dostoevsky's novels were based on his actual life experiences and tendencies. Dostoevsky did not actually commit Parricide, but he was labeled as one by Freud because of the thoughts he had about killing his father. Freud felt that Dostoevsky's epileptic seizures were psychologically induced and based on the guilt that he felt from his father's death.³

Lauretta Bender is a psychoanalyst noted for her studies of homicide by children and adolescents. Many of her case studies were completed during a phase in her professional career when she worked at a state hospital in New York state. One representative study, beginning in 1935, included thirty-three children who murdered or were accused of murdering another person. Thirteen of the children were under the age of eleven when the murder was committed. The remaining twenty were between eleven and fifteen years of age at the time of the fatal incident. The specification of parricide is not mentioned. Some of the victims were friends of the children or siblings. Several of the

boys were sentenced by the court to correctional institutions; however, they were subsequently found to be psychotic and transferred to mental hospitals or institutions for the criminally insane where they were diagnosed as schizophrenic or epileptic.⁴

Bender points out that for a child to kill, a certain number of factors are required. These factors include "a disturbed, poorly controlled, impulsive child; the victim as an irritant, and an appropriate or handy weapon coinciding with lack of protective supervision."⁵ The author provides a list of six dangerous symptoms which she finds significant to the cases under study.

1. Organic brain damage with an impulse disorder, and abnormal EEG and epilepsy (perhaps latent).

2. Childhood schizophrenia with pre-occupations with death and killing in the pseudoneurotic phase or with antisocial paranoid preoccupations in the pseudosychopathic phase.

3. Compulsive fire-setting.

4. Defeating school retardation (reading disability).

5. Extremely unfavorable home conditions and life experiences.

6. A personal experience with violent death; thus having once been associated with a death, a child is always dangerous thereafter.⁶

The condition entitled "extremely unfavorable home conditions and life experiences," will also appear in numerous other studies reviewed for this research.

In 1971, Jane and Glen Duncan studied five cases involving children who killed or attempted to kill

their parents.⁷ They conclude that these acts were committed as a response to a change in the relationship with the victim caused by events which became so unbearable that the adolescent could not maintain control of the situation. Three of the cases involve actual parricides, one was an attempt, and the fifth was prevented when the child turned herself over to authorities after she threatened to kill her father. Three of these cases involved brutality by the parent toward the child. In a follow-up study, after ten years of release from custody, four of the children had committed no other offenses. One was still under supervision. The Duncans contend that if the killer is sane and immediate apprehension is made, then the chances are minimal that the offender will kill again.

Corder's 1976 study consisted of a population of ten parricides with two control groups. They claim to be the first investigators to use control groups in studying parricides. The control groups included ten adolescents charged with murdering a close friend or a relative other than the parent, and ten adolescents charged with murdering a stranger. The parricides and the two control groups were matched as closely as possible in the areas of age, sex, IQ, socioeconomic status, and date of admission. The records of the adolescents were taken from a forensic

psychiatry hospital unit where all of them had been admitted for observation. The results of their study reveal significant differences between the parricides and Corder's two control groups. The parricides had fewer social relationships, and there were indications of chronic physical abuse directed against the youngsters in their earlier home situation. There were also greater indications of abuse toward the mother by the father in the group of parricides. Follow-up data was based on the eight parricides who could be located. It was found that seven continued to be in close contact with their families, and four of them were found to be residing with the remaining parent.⁸

Vicki Agee conducted her work with a population of adolescents at the Closed Adolescent Treatment Center in Denver, Colorado. In 1972, Agee was awarded a grant from the Law Enforcement Assistance Administration to fund the center as a specialized psychiatric treatment unit for violent and incorrigible adolescents. Although few youths at the center were charged with homicide, she concludes that "to date, no juvenile murderer treated at the center has committed another murder."⁹ The research does not mention the relationship of the victims to the youths charged with murder.

The work of Douglas Sargent is cited frequently in the parricide studies. In his research of five cases, he attempts to support his hypothesis that the child who kills is an unwilling agent of the adult who unconsciously causes the child to kill him. Three of the cases were parricides and the fathers who were killed were known to be violent with their children. Sargent admits that his material is highly speculative, but he suggests that if his ideas are presented to the child, some of his or her feelings of guilt may be reduced. He concludes that the evidence may help to show extenuating circumstances if the child goes to court.¹⁰

Robert Sadoff's study of two parricide cases is frequently cited in the literature. There are many similarities noted in the two case histories. In the first one, a seventeen year old boy shot his mother. She had constantly restricted him to his room during the three to four years preceding the killing, because of his pattern of school misconduct. He was suspended from school on the day of the killing. His mother criticized him and indicated that she would not show concern if his father were to kill him. At that point, the son shot his mother with his father's gun. His immediate reaction has been recorded as one of relief

rather than guilt or remorse. After spending some time in prison, he expressed sorrow that his mother had to die in order for him to experience reduced anxiety. In the second case, a boy shot his father during an argument in a department store. The father was choking the boy and shouting that he intended to kill him. The boy used a gun, concealed in his coat, to shoot his father several times. Witnesses reported that the boy shouted "you won't hurt my mother any more" while he was firing the weapon. After being told that his father was dead, he said that he felt relief and concluded "I'm not afraid any more." These two cases exhibit similarities in motivation and feeling. Sadoff's observations concerning these cases are similar to the hypothesis advanced by Sargent.¹¹ He indicates there was a neurotic relationship between the child and the parent. The victim abuses the child and pushes him beyond a level of tolerance to a phase of uncontrollable violence. Sadoff states that a psychotic state can exist before a killing, but it disappears after the act of murder.¹²

In 1974, Charles King gave a presentation at the annual meeting of the American Orthopsychiatric Association. At that time he was Deputy Director of Rehabilitation at the New York State Division of Youth. His presentation consisted of a study he conducted of

nine youths charged with homicide. He does not reveal the relationship between the offenders and their victims in these crime situations. King's case history analysis points out that the families of the adolescents were in conflict. There were violent confrontations between parents and their children who were frequent victims of the parental assaults. Only one of the nine studied was diagnosed as psychotic. This was difficult for King to interpret and explain in his research. His dilemma was that "the behavior was psychotic but the youths were not." He feels that with all of the nine cases, the violence during the act of homicide was a way to cope with their traumatic life situations. He concludes that little is understood regarding effective treatment for these youths.¹³

The psychiatrist Dr. Carl Malmquist is frequently cited for his work dealing with homicidal juveniles. His study evaluated twenty adolescents who had been charged with some degree of murder. Of the twenty, only three remained in juvenile court, while the other seventeen were certified to adult criminal court. He brings up the point that unless there is a specific motion entered for a psychiatric evaluation, none is performed. Malmquist's position at the time of the

study was as a psychiatric consultant to the court. He was looking for symptoms present before the homicide in order to determine whether homicidal behavior could be predicted when evaluating other juveniles. One prominent symptom was a behavioral change occurring before the homicide. The change most frequently noted was a "deep pessimism about themselves or their predicament." Another symptom was a cry for help which was covert and not frequently noticed by those in daily contact with the youths. Drug usage was a factor in almost half of the population studied; however, only one homicide occurred while the adolescent was under the influence of a drug. Malmquist agrees that a feeling of hopelessness is a major factor in these cases. He includes that a deep sense of mourning occurs because there seems to be no deviation of the helpless feeling. It is during this period of mourning when he feels the juveniles reach their final breaking point.¹⁴

The psychiatrists Scherl and Mack studied three cases of matricide. Their cases revealed the following traits: early restrictiveness on the part of the mother, harshness and deprivation, and a mother-child relationship characterized by continuing conflict. These common factors are similar to those found in earlier studies; however, in patricide cases the poor

relationship exists between the child and the father rather than the mother. The authors feel that there are "special circumstances and passions" involved in family murders which are not present in other forms of homicide committed by adolescents. In the three cases studied, the authors state that the behavior of the mothers provoked the homicide and that these parents wished to be murdered by their sons. This assumption coincides with earlier studies conducted by Sargent. Scherl and Mack conclude that the homicides were a "product of an intensely sadomasochistic relationship." At the time, the sons felt that homicide was the only answer to relieve the unbearable relationship with their mother.¹⁵

James Sorrells, in a 1980 paper, formulates several conclusions concerning juvenile homicide. He concludes that children who kill come from "violent, chaotic families." He uses the term "prepsychotic" when describing the individuals who commit parricides. These youth are trapped in a conflict-laden relationship and they feel there is no escape. He states that the prepsychotic youth kill as a "cry for help." Sorrells recommends that all children brought into custody in the juvenile system should be screened for emotional problems. He suggests that the emotional screening is as important as the screening children receive for

medical and dental problems. He suggests that correctional programs for these children should be based on empathy and on correcting the presenting emotional problems instead of relying on traditional programs based on strict discipline. He recommends screening the families of these children to make sure they are not returned to violent and chaotic family situations. In presenting these ideas to criminal justice practitioners, Sorrells reminds judges and district attorneys of their positions of power and urges them to use their power to initiate his recommendations.¹⁶

Larry Silver and associates studied the concept of violence present in the home when such behavior passes from one generation of family members to the next one. Their study included thirty-four cases which covered a time span of three generations. They conclude from their research that violence appears to breed violence. They urge physicians to be aware of the possible presence of child abuse and to report the suspected abuse. They suggest that physicians have "a unique opportunity to interrupt this cycle of violence." Although this study does not deal directly with parricide, the available studies reveal a direct correlation between parricide and violence in the home.¹⁷

With the exception of Freud's diagnosis of Dostoevsky, Dr. Frederic Wertham's 1941 work is the earliest recorded study of a parricide case. Wertham's detailed study of a fourteen year old boy who killed his mother reveals many circumstances that are similar in other parricide studies. The young boy was intelligent, had no prior history of delinquency, and was apparently quite normal and well adjusted until the time of the homicide. There was not a history of violence in the family; however, neglect and emotional stress was evident for several years prior to the killing. Wertham, a psychoanalyst, was responsible for declaring the boy insane. This resulted in the boy's confinement to an institution for the criminally insane rather than prison. The boy reiterated that his mother had disgraced the family by her sexual misconduct following the death of his father. Once he made the decision that his mother must die, it was five years before he carried out the act of murder. He was the oldest of several children and he felt that he had to take his father's place after his death. The intimate relationships that the boy's mother had with other men were too much for him to bear. After the killing, the boy felt no guilt or remorse, only emotional relief. These feelings are expressed by many parricides. After several months in the mental hospital, the youth

finally came to realize that his actions were inappropriate. The boy spent several years in the hospital; however, Wertham felt that once the boy accepted his guilt, he was on his way to a full recovery and was no longer a threat to himself or society.¹⁸

Wertham refers to the clinical patterns of this case as "catathymic crisis." He describes this crisis as:

A circumscribed mental disorder, psychologically determined, non-hereditary, without physical manifestations, and not necessarily occurring in a psychopathic constitution. Its central manifestation consists in the development of the idea that a violent act - against another person or against oneself - is the only solution to a profound emotional conflict whose real nature remains below the threshold of the consciousness of the patient.¹⁹

According to Wertham, there are five distinct stages involved in catathymic crisis: (1) The stage of initial thinking disorder; (2) the stage of the crystallization of a plan; (3) the stage of extreme tension culminating in the violent crisis; (4) the stage of superficial normality; and (5) the stage of insight and recovery.²⁰ Wertham points out that these five stages are very evident when analyzing the life of the young parricide he has studied.

In 1975, Emanuel Tanay introduced the terms reactive parricide and catastrophic conflict in a presentation before the Annual Meeting of the American

Academy of Forensic Sciences in which he reviewed his research. Tanay's term, catastrophic conflict, is used to identify a presenting conflict to which an individual is unable to adapt, and in which the only solution is a planned structural change. With reactive parricide, the method of defense adopted by the child is to murder the parent who has created the conflict. Tanay's knowledge of parricide is based on his examination and treatment of eight children who killed their parents. His published study details three of those cases, and all have many similarities. None of the children studied were psychotic. Each of the murdered parents had exhibited a history of cruelty and created a traumatic environment for other family members. The perpetrator, as well as the other family members, seemed to accept the presenting death as a symbol of violence resolution in the family. According to Tanay, sadomasochistic relationships are largely responsible for family violence when parricide is present. The following conclusions are found in the Tanay study of parricide:

1. The killed parent was a sadistic person.
2. The whole family lived in dread of the killed parent. The perpetrator was particularly affected, either because he was the primary target of sadistic behavior or due to his particular role as the oldest child.

3. The surviving parent was a passive, dependent individual, masochistic and dependent on the sadistic partner.

4. The relationship between parents was sadomasochistic, preventing dissolution of the marriage or control of the sadistic partner.

5. The family life was disturbed and gave rise to catastrophic conflict.

6. The slaying of the sadistic parent led to a general improvement in the family life and quite open relief and even rejoicing. There was an initial absence of mourning and guilt on the part of the perpetrator and the other members of the family.

7. Throughout the many years of the sadistic behavior official responses were ineffective, slow, and highly frustrating. This impressed on the perpetrator a sense of futility and powerlessness. There are many factors which account for the societal impotence in dealing with parental abuse. In the United States, due to concern with individual freedom, coercive interventions are frowned on unless there is a legally well established crime.

8. The life of the perpetrator after the murder is characterized by definite improvement. The degree of improvement varies depending on the handling of the case after the parricide.²¹

The period of incarceration for Tanay's clients was found to be minimal. Upon release, the children returned home to live with the remaining parent.²²

Suzanne Steinmetz, in her highly acclaimed research on family violence, stresses that parricide is sometimes a form of retribution. In such cases, the victim has previously acted out violently against the child. The child, in killing the parent, hopes to terminate the brutality aimed at himself and other family members.²³

The 1975 study by clinical psychologists David and Gene Lester is based on "crimes of passion."²⁴ Their central theme is that there are two classifications of murderers: undercontrolled aggressives and overcontrolled aggressives. The undercontrolled aggressive has a tendency to engage in violent arguments which eventually result in a murder. Overcontrolled aggression is the inability to express anger appropriately and this, in turn, leads to mounting stress and a complete loss of control. A violent murder is sometimes the consequence of the absence of controls. The differences between the overcontrolled and the undercontrolled murderer provide a number of implications for social attitudes and for legal treatment of the killer.

Based on their study of murderers, Lester reveals that "most murders occur on sudden impulse and in the heat of passion, in situations where the killer's emotions overcome his ability to reason."²⁵ Lester states that the prediction of a murder is feasible due to the fact that periods of stress and crisis precede the murder. Lester's research on child murderers refers to studies by Bender,²⁶ Sargent,²⁷ and Scherl and Mack.²⁸ Lester relates that most matricides are carried out by the son. He states that these murders could be reduced if the father was an active family member. The

father should support the son when the mother criticizes him, and encourage the son to have mature heterosexual and social interests.

Lewis and Balla researched juvenile delinquency while employed at the Juvenile Court Clinic in New Haven, Connecticut. As a psychiatrist, Lewis was the first director at the clinic and Balla was the first psychologist. They were responsible for evaluating juveniles who were referred to the clinic by the court. Their work began in 1971. The research was limited to cases referred to the clinic. The referrals by the court were the cases of the most serious offenders and the obviously disturbed youth. Based on that population, it was not surprising to discover that a high percentage of the parents were also psychiatrically impaired. Some of these parents contributed to the disorders of their children through both neglect and abusive behavior. Only a few cases of attempted homicide were studied, and those juveniles were found to be suffering from some form of central nervous system dysfunction.²⁹ The authors point out that many of the juveniles that require residential psychiatric treatment are often denied that treatment because the children's facilities refuse to accept potentially violent youth. The juveniles then become patients in adult

psychiatric wards or are sent to correctional facilities.

Cases of matricide and patricide are briefly mentioned in John MacDonald's study of The Murderer and His Victim.³⁰ He mentions the Greek legend of Oedipus and the Oedipus Complex which is used to describe a child's attachment for a parent of the opposite sex and aggressive feelings for the parent of the same sex.³¹ These aggressive feelings may lead to the murder of the hated parent. In the Greek legend, Oedipus unknowingly kills his father and marries his mother. MacDonald compares matricide with the Greek legend of mythological Orestes. Orestes' father was killed by his mother and her lover. Orestes killed his mother in an attempt to avenge the murder of his father. This comparison of matricide to the Greek legend is also noted in the case study by Wertham.³²

Gardiner's work as a psychoanalyst led her to become a psychiatric consultant to schools as well as local and state institutions. Her portraits of ten children who have killed are the result of a professional practice which included working with children in mental hospitals and correctional facilities. She states that these child murderers have had a better rate of rehabilitation than the general prison population. Gardiner states that these case studies provide some understanding of the young offenders

defined as parricides. Understanding these children is essential to the formulation of effective preventive measures.

The common element in all ten cases is the presence of violent and chaotic family relationships. Only one out of the ten adolescents had experienced meaningful, positive relationships from both parents. Most of them expressed hatred toward one or both of their parents or stepparents. Of these ten cases, five of the adolescents were found guilty of murder and sentenced to prison. Their sentences ranged from six years to thirty years. The other five were remanded to juvenile facilities or mental institutions. Gardiner believes that if home conditions had been different for these ten adolescents, the act of homicide would not have occurred. Gardiner reiterates that the purpose of her study is not to analyze case studies, but to encourage readers to exert pressure on decision-makers in order to influence policy changes within the schools, courts, prisons, and rehabilitation centers.³³

Parricide: Viewpoints from the Media

Alan Prendergast's 1982 account of a parricide case focused national attention on the murder of Richard Jahnke by his two teenage children. Prendergast initially covered the Jahnke murder for Rolling Stone

magazine. The story of the Jahnke murder was also reported on the high popular television program 60 Minutes. In addition, it was the basis for a television movie "Right to Kill?" The living conditions in the Jahnke home were similar to those found in other accounts of parricide cases. Mr. Jahnke was a man who frequently brutalized his children as well as his wife. On the day of the murder, Mr. Jahnke had an altercation with his son Richard Jr. and threatened to kill him. That evening, when Mr. Jahnke arrived home he was shot and killed by his son. Richard Jr. was sixteen years old at the time of the murder and his sister Debra was seventeen. Debra did not shoot her father, but she was charged with conspiracy.

Richard Jr. and Debra were both charged and tried as adults. The abusive acts of Mr. Jahnke were revealed during the investigation of the case and at the trials. Richard Jr. was found guilty of voluntary manslaughter. Debra was found guilty of aiding and abetting voluntary manslaughter. The trials received national media attention, and thousands of letters were mailed to the judges trying the cases. The letters came from all over the United States and the writers were asking for leniency for the teenagers. Richard received a sentence of five to fifteen years in the state penitentiary. Debra was sentenced to the state

women's confinement facility for three to five years. Appeals filed in both cases were denied.

Again, the public became active in this case and sent letters to the governor requesting a pardon for the teenagers. The governor finally agreed to commute their sentences. Debra was required to receive one month of extensive psychiatric counseling and was placed on probation for one year. Richard was recommended for counseling and placed in the state institution for juvenile offenders. He remained incarcerated until the age of twenty-one; however, he was a model prisoner and was released on parole after serving only fifteen months of his sentence.

Mrs. Jahnke remarried and remained in Cheyenne, Wyoming. At the conclusion of Debra's parole, she changed her name and moved to another state. Upon Richard's release, he returned home to reside with his mother and new step-father.

After the two trials some revisions were made in child abuse laws and the service delivery system utilized by agencies dealing with these victims in Wyoming. In Cheyenne, additional caseworkers were hired specifically to look into suspected child abuse cases. Policies were rewritten to assure follow-up studies were conducted in abuse cases. The state legislature made some changes in their laws. Now in

Wyoming, children sixteen and under must be tried in juvenile court, no matter what the charge. The state child protective services division may now investigate suspected abuse cases involving children up to the age of twenty.³⁴

In 1985, Gregory Morris wrote a book which is a collection of cases about children who have killed their parents.³⁵ All of these children had been severely abused by their parents. Some of the children were tried in the criminal courts, others in the juvenile court. The sentencing pattern in these cases ranged from acquittal to twenty years of confinement in prison.

Lenore Walker, a psychologist and researcher in the area of family violence, wrote the foreword to the Morris book. She compares parricides to the battered women who kill their husbands. Walker agrees that these children were victims of severe battering and that killing the parent may have been the only way for them to stop the battering.³⁶

Parricide cases are frequently reported in the newspaper; however, most reports mention only that a murder has occurred, the identity of the victim, and how he or she was killed. In a 1984 Washington Post article, staff writer Lawrence Meyer solicited comments from psychiatrists and a judge about those children

who commit the act of parricide. The psychiatrists stated that they were not astonished when parricide occurred in disordered family situations; however, they were surprised that the act does not take place with greater frequency. A small number of parricides are committed by children who are psychotic or under the influence of drugs. The majority of parricides are children who are victims of physical or psychological abuse. Friends and neighbors of parricides are usually confounded by the murder. They describe these adolescents as "quiet, maybe a little withdrawn, had some friends, doing okay in school."³⁷

Meyer interviewed Judge Femia who has presided over two parricide cases. In one case, a twenty year old son stabbed his father to death. The defense in this case was that psychological abuse was committed by the victim toward his son. The sentence given the son for the murder was probation combined with eight hundred hours of community service. In the other such case heard by Judge Femia, a sixteen year old daughter pled guilty to conspiracy to commit murder against her father. Femia sentenced the teenager to a fourteen year prison sentence. The reason for this harsh sentence, according to Femia, was that the daughter committed a deliberate and planned murder of her father. Femia stated that her father's only crime

was "excessive doting on his daughter." If faced with another parricide case, Femia's reaction is that there exists no policy sentencing guideline to assist judges in reaching an appropriate decision in these complex cases. If the victim had been a child abuser, then this behavior can serve as a mitigating circumstance which must be considered.³⁸

A 1983 article from the Los Angeles Times compares two cases of parricide. The cases have many similarities although the outcomes are very different. George Burns was seventeen years of age when he shot and killed his father. The Burns family was well known to local law enforcement agencies and social service organizations. George was arrested for shoplifting at the age of ten. He accumulated an extensive record of minor offenses during the next four years. He was frequently truant from school and had a history of severe behavioral problems. The police were sent to the family home on several occasions to quiet domestic disturbances. Mr. Burns abused his wife and children. At the age of fourteen his son, George, was removed from his home and placed in the local Sheriff's Boys Ranch. After two years, George returned to his home where he continued to encounter violence. One evening, after an argument with his father, George shot and killed the father with a handgun.

The other parricide studied was that of Richard Jahnke who killed his father with a shotgun. Richard was the product of an upper middle class family and he had no prior contact with either the juvenile or adult criminal justice system. Richard was a good student and active in school organizations. Richard did not murder his father immediately following an argument; rather, he waited until late that evening and shot his father as he was entering into the garage.

Both of these boys were abused by their fathers. The major difference between these two cases is in the punishment received from the courts. George received fifteen years on probation. Richard's sentence was an indeterminate five to fifteen years in prison. The legal difference between the two cases is that George murdered his father immediately after an argument, while Richard waited for an hour and a half and had an opportunity to plan and organize the murder event. Both the police and social service agencies were familiar with George's family and had case records proving that his father was continually abusive. Richard reported the abuse on one occasion, but that report had never been substantiated.

The conclusion from this study seems to be that an adolescent with a police record and a history of being abused by a parent, can murder that parent and not

receive the severe prison sanction, while the child who does not have a criminal history nor a history of recorded child abuse is likely to go to prison for the same offense.³⁹ It should be noted that community attitudes and the sentencing attitudes of judges remain critical in these matters and are most likely to account for these differences.

Parricide: Viewpoints from the Field
of Criminal Justice

Parricide does not appear to be an area of interest to researchers in the field of criminal justice. The current literature consists of a 1985 study by Paul Mones. At the time of the study he was Legal Director for the Public Justice Foundation in California. His research focused on the relationship between parricide and child abuse. He points out that in almost every case of parricide the adolescent was a victim of child abuse. The study analyzes seven parricide cases. He is very familiar with three of the cases since he was an assistant to the defense counsel. All seven cases involve adolescents who were abused by the murdered parent. Mones' theory is that the murder was an act of self-preservation. These adolescents felt that nobody could help them with their problem and so the killing was one way to terminate the abuse cycle. Mones states that these juveniles are in a unique

offender category. They are neither the classic status offender, nor the classic violently aggressive delinquent.

Legal defense should be based on the long term effects of the abuse on the defendant. The defense strategy used in these cases is identical to that used in situations where battered wives have killed their husbands. Mones urges these attorneys who defend parricides to study the extant literature concerning these women. He also hopes that his limited study will encourage others to continue future research into the area of parricide. Parricides should be seen not as criminals, but as victims of crime.⁴⁰

Most research in the area of parricide has come from the clinical community. The subjects of these studies are usually patients in mental institutions. Studies of parricides who have been sentenced to prisons or placed on probation have been few in number. One issue that is common to almost every parricide studied concerns the abuse received in their own homes. The abuser is frequently the victim of their murder.

Parricide is a minor part of the overall problem of family violence but it must not remain a hidden phenomenon of disorganized family units. Some studies suggest that violence is a trait that is transmitted from one generation to the next unless there is

therapeutic clinical intervention to terminate the pathology. Studies show that parricides are not naturally violent individuals. Within a pattern of continued abuse, they are pushed to their emotional limits and the final act of self-defense occurs when a loss of control causes them to murder their abusers. Such loss of control is recorded as a temporary memory loss by many of these adolescents.

A number of issues and controversies have been examined in this chapter. Many in the field of criminal justice remain unaware of the need for further research of the parricide phenomenon. With a few exceptions, the writers are content to label these adolescents as delinquents while transferring them to adult courts and sentencing them to prison. The one issue that is evident is that more research is seriously needed in the area of parricide. Attorneys as well as judges require systematic information in order to assist with the defense and sentencing of parricides. Parricides are not violent criminals. They are victims who need compassion and understanding. Preventive measures involving early identification and intervention strategies are necessary.

In the following chapter, the conclusions and recommendations of this research will be based on the material presented in Chapters 1 and 2.

Notes

¹ Sigmund Freud, "Dostoevsky and Parricide," Sigmund Freud: Collected Papers, vol. 5, ed. James Strachey (New York: Basic Books, Inc., 1959), 222-42.

² Robert L. Sadoff, "Clinical Observations on Parricide," Psychiatric Quarterly 45, no. 1 (1971): 65-69.

³ Freud, 222-42.

⁴ Laretta Bender, "Children and Adolescents Who Have Killed," American Journal of Psychiatry 116 (1959): 510-13.

⁵ Bender, 512.

⁶ Bender, 512.

⁷ Jane W. Duncan and Glen M. Duncan, "Murder in the Family: A Study of Some Homicidal Adolescents," American Journal of Psychiatry 127 (1971): 1498-1502.

⁸ Billie F. Corder et al., "Adolescent Parricide: A Comparison with Other Adolescent Murder," American Journal of Psychiatry 133 (1976): 957-61.

⁹ Vicki L. Agee, Treatment of the Violent Incurable Adolescent (Lexington: D.C. Heath and Company, 1979), 89.

¹⁰ Douglas Sargent, "Children Who Kill: A Family Conspiracy," Social Work 7 (1962): 35-42.

¹¹ Sargent, 35-42.

¹² Sadoff, 65-69.

¹³ Charles H. King, "The Ego and the Integration of Violence in Homicidal Youth," American Journal of Orthopsychiatry 45 (1975): 135-145.

¹⁴ Carl P. Malmquist, "Premonitory Signs of Homicidal Aggression in Juveniles," American Journal of Psychiatry 128 (1971): 461-65.

- 15 Donald J. Scherl and John E. Mack, "A Study of Adolescent Matricide," Journal of American Academy of Child Psychiatrists 5 (1966): 569-93.
- 16 James Sorrells, "What Can Be Done About Juvenile Homicide?" Crime and Delinquency 26 (April 1980): 152-61.
- 17 Larry B. Silver, Christina Dublin, and Reginald S. Lourie, "Does Violence Breed Violence? Contributions from a Study of Child Abuse Syndrome," American Journal of Psychiatry 126 (September 1969): 152-55.
- 18 Fredrick Wertham, Dark Legend (New York: Book Find Club), 1941, 1-232.
- 19 Wertham, 225.
- 20 Wertham, 227.
- 21 Emanuel Tanay, "Reactive Parricide," Journal of Forensic Sciences 21 (1976): 80.
- 22 Tanay, 77-79.
- 23 Suzanne K. Steinmetz, The Cycle of Violence (New York: Praeger Publishers, 1977), 103.
- 24 David Lester and Gene Lester, Crime of Passion: Murder and the Murderer (Chicago: Nelson Hall, 1975), 5-9.
- 25 Lester, 5.
- 26 Bender, 510-13.
- 27 Sargent, 35-42.
- 28 Scherl, 569-93.
- 29 Dorothy O. Lewis and David A. Balla, Delinquency and Psychopathology (New York: Grune and Stratton, 1976), 177.
- 30 John M. MacDonald, The Murderer and His Victim (Springfield: Charles C. Thomas, 1961), 104-108.
- 31 MacDonald, 104-05.
- 32 Wertham, 217-30.

³³ Muriel Gardiner, The Deadly Innocents (New York: Basic Books, Inc., 1976), xvii-xxv.

³⁴ Alan Prendergast, The Poison Tree (New York: G.P. Putnum's Sons, 1986), 13-348.

³⁵ Gregory W. Morris, The Kids Next Door: Sons and Daughters Who Kill Their Parents (New York: William Morrow and Company, Inc., 1985), 21-297.

³⁶ Lenore E. Walker, foreword to The Kids Next Door: Sons and Daughters Who Kill Their Parents, by Gregory W. Morris (New York: William Morrow and Company, Inc., 1985), 5-8.

³⁷ Lawrence Meyer, "Kids Who Kill Parents," Washington Post, 13 May 1984, magazine section: 15.

³⁸ Meyer, 14-15.

³⁹ Barry Siegel, "Justice: The Cases of Two Young Killers," Los Angeles Times, 8 May 1983: 1, 14-16.

⁴⁰ Paul Mones, "The Relationship Between Child Abuse and Parricide: An Overview," Unhappy Families, eds. Eli H. Newberger and Richard Bourne (Littleton, Mass.: PSG Publishing, 1985), 31-38.

CHAPTER 3

CONCLUSION

Freud's study of the Russian writer Dostoevsky is the first scholarly publication to use the term parricide. From Freud's study in 1928 and continuing through the research produced in the 1960s, parricide was studied only by those from the clinical fields of psychology, psychiatry, and psychoanalysis. Their studies reveal that children who murdered their parents were mostly psychotic, and the accepted form of treatment or punishment was to confine them in mental hospitals or private institutions. From these early studies, it is correct to assume that parricides are psychotic, but the fact that these studies were conducted on patients in mental institutions must be taken into account. More recent research studies conclude that mental illness is a factor in only 10 percent of parricide cases and that most of the offenders are incarcerated in juvenile facilities or prisons instead of mental hospitals.

A compilation of the literature available on parricides reveals that a majority of parricides are abused children. They reside in intact two-parent

households and are as likely to be male as female. If the parricide is a female, she has probably been a victim of sexual, physical, and psychological abuse. These adolescents are considered to be normal by friends, peers, and neighbors. The factor that is most common to parricides is that he or she has been a victim of recurrent or ongoing child abuse for several years prior to the commission of the murder act against the parent. Often, the adolescent murders the parent as an act of self-preservation after years of abuse. The abuse becomes so severe that the adolescent is in fear of his or her own life. Murdering the abuser appears to be the only option available to terminate the victimization of abuse. Psychiatrists are well aware that parricide occurs in these abusive families; however, they are astonished that it does not occur in greater numbers.

In families where the abusive father is the murder victim, the wife is frequently a victim of abuse as well as other children in the family. When the mother is murdered, it has been found that she is the dominant parent and the father is a passive family member. After the murder, the parricide as well as the surviving members experience no grief for the loss of the abuser; rather, the overt emotion is only one of consolation.

The remaining parent and the other siblings are usually grateful to the parricide for murdering the abusive parent.

Parricide is only one complex segment of the overall problem of family violence. Millions of children are abused each year, but only three to four hundred of them endeavor to terminate the abuse by an act of murder committed against the victimizer. The others will grow older and establish families where they, themselves, may take on the role of the abuser and thus create a subculture of violence. If the cycle of abuse is not stopped it continues from one generation through the following generations. As the amount of child abuse increases within our culture the incidents of parricide can be expected to increase as well.

The criminal justice community has been slow to react to the newly acquired body of knowledge contributed by the studies concerning the causes and treatment of parricide. Law enforcement personnel, prosecutors, and judges fail to recognize the role and status of the parricide victim who is really the one who has committed the crime. After parricides commit murder, they contact the police and admit to the crime without the presence of an attorney. The adolescent is frequently remanded to the adult court and treated as

a criminal. No consideration is given to the earlier abuse as a mitigating circumstance and charges of first or second degree murder are filed against the adolescent. Defense attorneys are frequently unaware of the abusive background in the family unit of the accused. This is due, in part, to the nature of American society in which such family problems as abuse remain secreted within the family unit and are not shared with non-family members. When two similar cases were compared, one teenager was sentenced to probation because the murder occurred immediately after an argument with the parent. In the other incident the sentence pronounced was a lengthy prison term because one and one half hours had elapsed between the time of the altercation and the murder. The hour and a half time difference, according to the judge, was enough time for the murder to be considered premeditated.

The few studies that have been conducted involving follow-up of parricide cases conclude that proper therapy will allow the adolescent to lead a life that will remain free of future criminality. The surviving parent remains supportive of their child and welcomes him or her to return to the family home.

Recommendations

If child abuse could be eliminated then the amount of parricides would be greatly reduced. However, the estimations of child abuse cases are increasing and it is unlikely that this problem will be reduced or eradicated within the next few years. Education programs designed to adequately report suspected child abuse to the appropriate control agency must continue and expand their efforts. If education programs are successful, then the incidents of abuse cases will increase in communities. Therefore additional funding will be required to train and employ personnel who are qualified to respond immediately to these reports of abuse. If an initial investigation fails to substantiate a report of abuse, then a follow-up visit should be made to make certain that abuse was not concealed during the preliminary on-site visit. Programs directed toward primary school children should encourage them to report harsh and unusual punishment by their parents to school authorities. Public and private schools need trained counselors available to listen and talk to those children suspected of being victims of abuse. Such a program is presently under consideration for implementation in a San Diego school district. If funding for the counselors is approved and the anticipated success of the program is achieved then

this pilot project would serve as a model for other districts in California.

The abuser, not the child, should be removed from the home when cases of child abuse are confirmed. The case of the parent who is the abuser should be heard in a family court, and if found guilty, the sentence could be suspended provided the offender enters and successfully completes a treatment program. The abuser would not be allowed to return to the family unit until successful completion of the program as verified by a court professional. A sentence of probation, including periodic home visits by social workers, should be required. The abuser would be informed that any repetition of the previous abusive behavior toward family members could result in immediate incarceration. Family therapy should be included in the treatment plan. Treatment programs are available which have proven to be effective in controlling aggressive acting-out behavior.

When an act of parricide occurs, the adolescent should remain under the jurisdiction of the juvenile justice system. A complete psychological and psychiatric evaluation must be required for the adolescent offender or ward. In situations where abuse has been confirmed, the goal of the court in parricide cases should be

treatment and recovery rather than punishment. Studies have concluded that parricides are unlikely to recidivate and rehabilitation as provided by a juvenile or adult corrections system is not necessary. The defense for the parricide should be the following: not guilty by reason of self-defense. The findings from the psychological and psychiatric evaluations should be helpful when substantiating the self-defense plea. Periodic follow-up visits by a trained social worker would be appropriate in keeping the court informed of the adolescent's progress in treatment. At the time of the murder, the parricide does not feel guilt or remorse, but with proper treatment he or she will eventually recognize the inappropriateness of the criminal act which served as a perceived solution to the presenting problem of recurrent family violence. When the court decides that the adolescent has successfully completed the treatment plan then the required follow-up visits by court appointed specialists would be discontinued.

Needs for Future Research

Some studies of parricide cases are available in the literature; however, much of this research is limited to only a few actual case histories. There is a need to conduct research which will include a larger

sample of parricides in order to insure the validity of the findings in this critical area for criminological research. The parricides studied should be selected from different geographical areas of the country and from different court jurisdictions and institutional-mental health settings. Control groups should be taken from such populations as the following: non-homicidal offenders, murderers whose victims were non-family members, juveniles with no previous juvenile or adult criminality, and siblings of the parricides who themselves did not participate in the murder event itself. The period of each follow-up study should be extensive so that the adolescents can be studied until they reach adulthood and establish their own families in order to determine how the pattern of violence within a family is perpetuated or terminated.

Such studies should be conducted by researchers in the field of criminal justice who have training in the behavioral and social sciences. The study population should include adolescents from juvenile institutions, prisons, and psychiatric institutions, as well as adolescents who have not received sentences requiring incarceration and who reside at home with their families.

Importance of Parricide Studies
to Criminal Justice

Currently, there is an inadequate body of literature on parricide on which to formulate policy guidelines aimed at a population of adolescents who are at risk or have already committed parricide. Lawyers and judges who have never been associated with parricide cases require a body of scientific information permitting them to make appropriate decisions in such cases. They need to recognize that adolescents who commit parricide are not aggressive and that the homicide is usually a case of self-defense for the victimized youngster. The parricide has been a victim of abuse and is in need of compassion instead of punishment from the criminal justice system. Law enforcement officers should be allowed to become aware of the problems of a parricide in their training programs. When they respond to the scene of a parricide, they will know that a show of force is not necessary when apprehending the adolescent. It is not necessary to keep the parricide in detention while waiting the initial hearing. They should receive immediate attention by a trained counselor. This assistance should continue throughout the entire justice process, from initial apprehension to court disposition, and finally to release back to the family unit.

It is hoped that the findings in this thesis will sensitize decision makers to the humane, psychological, and psychiatric issues which are uniquely associated with the crime of parricide. It is hoped that the true victim in this subculture of family violence will receive justice. This conclusion in no way minimizes the act of murder which appears the only solution to the victim which is labeled as a parricide.

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